

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DR. WILLIAM S. ROSS and CYNTHIA ROSS

PLAINTIFFS

V.

CIVIL ACTION NO.1:07CV521 LTS-RHW

METROPOLITAN PROPERTY and CASUALTY
INSURANCE COMPANY, ET AL.

DEFENDANTS

MEMORANDUM OPINION and ORDER

The Court has before it the plaintiffs' motion [123] to exclude evidence concerning the grant they received from the Mississippi Development Authority. This motion will be granted in accordance with my holding in *Dickinson v. Nationwide Mutual Fire Insurance Co.*, Civil Action No. 1:06cv198 LTS-RHW: opinion [145] at page 6 and order [146].

The Court also has before it the defendants' motion [116] to exclude plaintiffs' testimony that the defendants exerted undue influence of some type over the individuals and the companies who participated in adjusting the plaintiffs' claim. While the plaintiffs may certainly testify to their experiences with the adjustors who inspected their property and evaluated the merits of their claim, I will not permit any testimony that amounts to nothing more than unsubstantiated speculation concerning the motives of these individuals. To this extent the defendants' motion [116] will be granted.

Accordingly, it is

ORDERED

That the plaintiffs' motion [123] to exclude evidence concerning the grant they received from the Mississippi Development Authority is **GRANTED**; and

That the defendants' motion [116] to exclude plaintiffs' testimony concerning the motives of the adjustors who handled their claim is **GRANTED**.

SO ORDERED this 22nd day of October, 2008.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE